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of school trustees, from interfering with him in assuming his duties as a member of the board, to which he had been elected. *Held*, that a demurrer to the bill was properly sustained. *Haupt v. Schmidt* (1919, Ind.) 122 N. E. 343.

The plaintiff's political "privilege" to participate in the councils of the board was not disputed; but his choice of remedy was unfortunate. The decision by the court was grounded on the elementary principles that a public office is not "property," and that the right to hold an office and perform the duties thereof is not a "property" right, but a political right of which equity takes no cognizance. For an apposite discussion on the tendency to confuse and blend legal and non-legal conceptions, in which the concept "property" is particularly examined, see Hohfeld, *Fundamental Legal Conceptions* (1913) 23 YALE LAW JOURNAL, 16, 21-25.

WORKMEN'S COMPENSATION—INJURY ARISING OUT OF THE EMPLOYMENT—ASSAULT BY DISCHARGED EMPLOYEE.—The decedent was head waiter at a hotel and his duties embraced the discharge of waiters in the interest of his employer. He discharged a waiter for disobedience of orders. Later the discharged employee, angry and inflamed with liquor, shot and killed him. *Held*, that the injury arose "out of" the employment. *Cranney's Case* (1919, Mass.) 122 N. E. 266.

The risk of being assaulted by one aggrieved over the exercise of authority seems clearly incidental to the duty of exercising authority. Such injuries as received in the principal case have, therefore, been held compensable. *Trim School Bd. v. Kelly* [1914] A. C. 667 (school teacher assaulted by students); *Western Indemnity Co. v. Pillsbury* (1915) 170 Cal. 686, 151 Pac. 398 (foreman in charge of section gang assaulted by laborer); *Polar Ice & Fuel Co. v. Mulray* (1918, Ind. App.) 119 N. E. 149 (bookkeeper employed to check up and collect for shortage assaulted by driver). In such case the character of the assaulting employee, whether peaceable or quarrelsome, is immaterial. *County of San Bernardino v. Industrial Acc. Com.* (1917) 35 Cal. App. 33, 169 Pac. 255. As to the situation where one not in authority is assaulted by a fellow employee, see (1918) 27 YALE LAW JOURNAL, 965.